

109TH CONGRESS  
1ST SESSION

# H. R. 3673

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## AN ACT

Making further emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any  
2 money in the Treasury not otherwise appropriated, for the  
3 fiscal year ending September 30, 2005, namely:

4 DEPARTMENT OF DEFENSE—MILITARY  
5 OPERATION AND MAINTENANCE  
6 OPERATION AND MAINTENANCE, DEFENSE-WIDE  
7 (INCLUDING TRANSFERS OF FUNDS)

8 For an additional amount for “Operation and Main-  
9 tenance, Defense-Wide”, \$1,400,000,000 for emergency  
10 hurricane expenses, to support costs of evacuation, emer-  
11 gency repairs, deployment of personnel, and other costs  
12 resulting from immediate relief efforts, to remain available  
13 until September 30, 2006: *Provided*, That the Secretary  
14 of Defense may transfer these funds to appropriations for  
15 military personnel, operation and maintenance, procure-  
16 ment, family housing, Defense Health Program, and work-  
17 ing capital funds: *Provided further*, That not to exceed  
18 \$6,000,000 may be transferred to “Armed Forces Retire-  
19 ment Home” for emergency hurricane expenses: *Provided*  
20 *further*, That funds transferred shall be merged with and  
21 be available for the same purposes and for the same time  
22 period as the appropriation or fund to which transferred:  
23 *Provided further*, That this transfer authority is in addi-  
24 tion to any other transfer authority available to the De-  
25 partment of Defense: *Provided further*, That upon a deter-

1 mination that all or part of the funds transferred from  
 2 this appropriation are not necessary for the purposes pro-  
 3 vided herein, such amounts may be transferred back to  
 4 this appropriation: *Provided further*, That the Secretary  
 5 of Defense shall, not more than 5 days after making trans-  
 6 fers from this appropriation, notify the Committees on Ap-  
 7 propriations in writing of any such transfer: *Provided fur-*  
 8 *ther*, That the amounts provided herein are designated as  
 9 an emergency requirement pursuant to section 402 of H.  
 10 Con. Res. 95 (109th Congress).

11 DEPARTMENT OF DEFENSE—CIVIL

12 DEPARTMENT OF THE ARMY

13 CORPS OF ENGINEERS—CIVIL

14 OPERATION AND MAINTENANCE

15 For an additional amount for “Operation and Main-  
 16 tenance” for emergency expenses for repair of storm dam-  
 17 age to authorized projects in the Gulf states affected by  
 18 Hurricane Katrina, \$200,000,000, to remain available  
 19 until expended: *Provided*, That the Chief of Engineers,  
 20 acting through the Assistant Secretary of the Army for  
 21 Civil Works, shall provide, at a minimum, a weekly report  
 22 to the Committees on Appropriations detailing the alloca-  
 23 tion and obligation of these funds, beginning not later  
 24 than September 15, 2005: *Provided further*, That the  
 25 amount provided herein is designated as an emergency re-

1 quirement pursuant to section 402 of H. Con. Res. 95  
 2 (109th Congress).

3 FLOOD CONTROL AND COASTAL EMERGENCIES

4 For an additional amount for “Flood Control and  
 5 Coastal Emergencies”, as authorized by section 5 of the  
 6 Flood Control Act of August 16, 1941 (33 U.S.C. 701),  
 7 for emergency expenses for repair of damage to flood con-  
 8 trol and hurricane shore protection projects in the Gulf  
 9 states caused by Hurricane Katrina, \$200,000,000, to re-  
 10 main available until expended: *Provided*, That the Chief  
 11 of Engineers, acting through the Assistant Secretary of  
 12 the Army for Civil Works, shall provide, at a minimum,  
 13 a weekly report to the Committees on Appropriations de-  
 14 tailing the allocation and obligation of these funds, begin-  
 15 ning not later than September 15, 2005: *Provided further*,  
 16 That the amount provided herein is designated as an  
 17 emergency requirement pursuant to section 402 of H.  
 18 Con. Res. 95 (109th Congress).

19 DEPARTMENT OF HOMELAND SECURITY

20 EMERGENCY PREPAREDNESS AND RESPONSE

21 DISASTER RELIEF

22 (INCLUDING TRANSFERS OF FUNDS)

23 For an additional amount for “Disaster Relief”,  
 24 \$50,000,000,000, to remain available until expended: *Pro-*  
 25 *vided*, That up to \$100,000,000 may be transferred to and

1 merged with “Emergency Preparedness and Response,  
 2 Public Health Programs” for the National Disaster Med-  
 3 ical System to support medical care as authorized by the  
 4 Public Health Security and Bioterrorism Preparedness  
 5 and Response Act of 2002 (42 U.S.C. 300hh–11): *Pro-*  
 6 *vided further*, That \$15,000,000 shall be transferred to  
 7 and merged with “Departmental Management and Oper-  
 8 ations, Office of Inspector General” for necessary ex-  
 9 penses of the Office of Inspector General for audits and  
 10 investigations as authorized by law for Hurricane Katrina  
 11 response and recovery activities: *Provided further*, That  
 12 the Secretary of Homeland Security shall provide, at a  
 13 minimum, a weekly report to the Committees on Appro-  
 14 priations detailing the allocation and obligation of these  
 15 funds, beginning not later than September 15, 2005: *Pro-*  
 16 *vided further*, That the amounts provided herein are des-  
 17 igned as an emergency requirement pursuant to section  
 18 402 of H. Con. Res. 95 (109th Congress).

## 19 GENERAL PROVISION

20 SEC. 101. For procurements of property or services  
 21 determined by the head of an executive agency to be used  
 22 in support of Hurricane Katrina rescue and relief oper-  
 23 ations—

24 (1) the emergency procurement authority in  
 25 subsection 32A(c) of the Office of Federal Procure-

1       ment Policy Act (41 U.S.C. 428a(c)) may be used;  
2       and

3               (2) the amount specified in subsections (c), (d),  
4       and (f) of section 32 of the Office of Federal Pro-  
5       curement Policy Act (41 U.S.C. 428) shall be  
6       \$250,000.

7       This Act may be cited as the “Second Emergency  
8       Supplemental Appropriations Act to Meet Immediate  
9       Needs Arising From the Consequences of Hurricane  
10      Katrina, 2005”.

        Passed the House of Representatives September 8,  
2005.

Attest:

*Clerk.*

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